

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

BOY SCOUTS OF AMERICA AND
DELAWARE BSA, LLC,¹

Debtors.

Chapter 11

Case No. 20-10343 (LSS)

Jointly Administered

HARTFORD ACCIDENT AND INDEMNITY
COMPANY AND FIRST STATE INSURANCE
COMPANY,

Plaintiffs,

v.

BOY SCOUTS OF AMERICA; ALOHA
COUNCIL; CASCADE PACIFIC COUNCIL;
CENTRAL FLORIDA COUNCIL; CHIEF
SEATTLE COUNCIL; CIRCLE TEN
COUNCIL; CONNECTICUT YANKEE
COUNCIL; CONNECTICUT YANKEE AND
FAIRFIELD COUNTY COUNCIL; CRATER
LAKE COUNCIL; GAMEHAVEN COUNCIL;
GLACIER'S EDGE COUNCIL; GREAT
ALASKA COUNCIL; GREATER LOS
ANGELES AREA COUNCIL; INLAND
NORTHWEST COUNCIL; KATAHDIN AREA
COUNCIL; LINCOLN HERITAGE COUNCIL;
LONGHORN COUNCIL; LONGS PEAK
COUNCIL; MAYFLOWER COUNCIL;
MOHEGAN COUNCIL; MONTANA
COUNCIL; MOUNT BAKER COUNCIL;
MOUNT DIABLO SILVERADO; NEW
JERSEY COUNCIL; NORTH FLORIDA
COUNCIL; NORTHEAST GEORGIA
COUNCIL; NORTHERN NEW JERSEY
COUNCIL; NORTHERN STAR COUNCIL;
OREGON COUNCIL; OREGON TRAIL
COUNCIL; ORE-IDA COUNCIL; PACIFIC

Adv. Proc. No. 20-50601 (LSS)

¹ The Debtors in these chapter 11 cases, together with the last four digits of each Debtor's federal tax identification number, are as follows: Boy Scouts of America (6300) and Delaware BSA, LLC (4311). The Debtors' mailing address is 1325 West Walnut Lane, Irving, Texas 75038.

HARBORS COUNCIL; PATRIOTS' PATH COUNCIL; PEE DEE AREA COUNCIL; SAGAMORE COUNCIL; SAM HOUSTON AREA COUNCIL; SHAWNEE TRAILS COUNCIL; SOUTH FLORIDA COUNCIL; SPIRIT OF ADVENTURE COUNCIL; TIDEWATER COUNCIL; INSURANCE COMPANY OF NORTH AMERICA; ARGONAUT INSURANCE COMPANY; NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH PA; CERTAIN UNDERWRITERS AT LLOYD'S LONDON; TRAVELERS CASUALTY AND SURETY COMPANY, INC. (f/k/a Aetna Casualty and Surety Company); ALLIANZ GLOBAL RISKS US INSURANCE COMPANY (f/k/a Allianz Insurance Company); NATIONAL SURETY CORPORATION; LANDMARK INSURANCE COMPANY; COLUMBIA CASUALTY COMPANY; ARROWOOD INDEMNITY COMPANY (f/k/a Royal Indemnity Company); FEDERAL INSURANCE COMPANY; UNITED STATES FIRE INSURANCE COMPANY; UTICA MUTUAL INSURANCE COMPANY; PACIFIC EMPLOYERS INSURANCE COMPANY; HARBOR INSURANCE COMPANY; PAUL FIRE SURPLUS LINES INSURANCE COMPANY; CHUBB CUSTOM INSURANCE COMPANY; LEXINGTON INSURANCE COMPANY; AMERICAN ZURICH INSURANCE COMPANY; THE INSURANCE COMPANY OF THE STATE OF PENNSYLVANIA; TIG INSURANCE COMPANY, AS SUCCESSORY TO MERGER TO INTERNATIONAL INSURANCE COMPANY; GENERAL STAR INDEMNITY COMPANY; WESTCHESTER SURPLUS LINES INSURANCE COMPANY (f/k/a INDUSTRIAL INSURANCE COMPANY OF HAWAII); INDUSTRIAL INDEMNITY COMPANY; GULF INSURANCE COMPANY; NIAGARA FIRE INSURANCE COMPANY; CALIFORNIA UNION INSURANCE COMPANY; AGRICULTURAL INSURANCE COMPANY; TEXAS PACIFIC INDEMNITY COMPANY; LIBERTY MUTUAL

INSURANCE COMPANY; CONTINENTAL
INSURANCE COMPANY

Defendants.

SUMMONS AND NOTICE OF PRETRIAL CONFERENCE

YOU ARE SUMMONED and required to file a motion or answer to the complaint which is attached to this summons with the clerk of the bankruptcy court within 30 days after the date of issuance of this summons, except that the United States and its offices and agencies shall file a motion or answer to the complaint within 35 days.

Address of Clerk: 824 Market Street, 3rd Floor
Wilmington, DE 19801

At the same time, you must also serve a copy of the motion or answer upon Plaintiff's counsel.

Name and Address of Plaintiff's Counsel:

Erin R. Fay (No. 5268)
Gregory J. Flasser (No. 6154)
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If you make a motion, your time to answer is governed by Fed. R. Bankr. P. 7012.

YOU ARE NOTIFIED that a pretrial conference of the proceeding commenced by the filing of the complaint will be held at the following time and place.

Address: 824 North Market Street Wilmington, DE, 19801	Room: Courtroom No. 2 Floor: 6th Date and Time: August 6, 2020 at 10:00 a.m. (ET)
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IF YOU FAIL TO RESPOND TO THIS SUMMONS, YOUR FAILURE WILL BE DEEMED TO BE YOUR CONSENT TO ENTRY OF A JUDGMENT BY THE BANKRUPTCY COURT AND JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.

United States Bankruptcy
Court for the District
of Delaware

Date: June 30, 2020

/s/ Una O'Boyle
Clerk of the Bankruptcy Court



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Defendants.

NOTICE OF DISPUTE RESOLUTION ALTERNATIVES

As party to litigation, you have a right to adjudication of your matter by a judge of this Court. Settlement of your case, however, can often produce a resolution more quickly than appearing before a judge. Additionally, settlement can reduce the expense, inconvenience, and uncertainty of litigation.

There are dispute resolution structures, other than litigation, that can lead to resolution of your case. Alternative Dispute Resolution (“ADR”) is offered through a program established by this Court. The use of these services is often productive and effective in settling disputes. **The purpose of this Notice is to furnish general information about ADR.**

The ADR structures used most often are mediation, early-neutral evaluation, mediation/arbitration, and arbitration. In each of these structures, the dispute resolution process is presided over by an impartial third party, called the “neutral.”

In mediation and early-neutral evaluation, an experienced neutral has no power to impose a settlement on you. These options foster an environment where settlement offers can be discussed and exchanged. In the process, you, together with your attorney, will be involved in weighing settlement proposals and crafting a settlement agreement. The Court, through its Local Rules,² requires that all communications made during ADR processes, except threats of a potential criminal action, be kept confidential. This means that you will not be prejudiced in the event that settlement is not achieved through mediation or early-neutral evaluation, because the presiding judge in your case will not be advised of any content you may share during settlement discussions.

Mediation/arbitration is a process where you submit to mediation and, if it is unsuccessful, agree that the mediator will act as an arbitrator. At that point, the process is the same as arbitration. You, through your counsel, will present evidence to a neutral, who issues a decision. If the matter in controversy arises in the main bankruptcy case or arises from a subsidiary issue in an adversary proceeding, the arbitration, though voluntary, may be binding. If a party requests *de novo* review of an arbitration award, the judge will rehear the case.

² The Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the District of Delaware (the “Local Rules”), deb.uscourts.gov/sites/default/files/1%20Clean%20Local_Rules_2020_0.pdf.

Your attorney can provide you with additional information about ADR and advise you as to whether and when ADR might be helpful in your case.

Dated: June 30, 2020

/s/ Una O'Boyle
Clerk of the Bankruptcy Court